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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/585,088

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Yoshifumi Tanimoto

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EXAMINER

RAHIMI, IRAJ A

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/585,088

Applicant(s)

TANIMOTO, YOSHIFUMI

Examiner

(Iraj) Alan Rahimi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,5,7-12,16,17,19 and 20 is/are rejected.
- 7) ☒ Claim(s) 3,6,13-15 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 8, 10, 12, 16, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osada (US patent 6,211,966) in view of Sampath (US patent 6,665,425).

Regarding claim 1, Osada discloses an image processing device having a plurality of functions comprising:

a detection unit that detects an error in a function among the plurality of functions of the image processing device (column 7, lines 60-67);

a transmission unit that transmits detection result of the detection unit to an external device (memory 102) ; and

a disabling unit (CPU 1) that prevents the function of the image processing device, of which error is detected by the detection unit, from being used in response to instructions received from the external device (column 8, lines 1-33).

However, unlike the instant application, Osada discloses the detection unit is part of the client computer 101. Sampath discloses a method for automated diagnostic and remediation of document processing systems where the diagnostic system can be located anywhere including on the actual document processing itself (column 5, lines 23-27). Osada and Sampath are

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combinable because they are from the same field of endeavor that is error detection in image processing systems. Therefore, it would have been obvious to a person skilled in the art, at the time of invention to place the detection unit in the multifunction device. The motivation for doing so would have been to collect and analyze relevant machine data including environmental conditions among others (column 3, lines 38-67).

Regarding claim 2, Osada discloses the image processing device of claim 1 further including:

- a reception unit (RAM 19) that receives data from an external source;
- a printing unit 17 that prints out the data received by the reception unit; and
- a forwarding unit that forwards the data received by the reception unit to the external device when the detection unit detects an error in the printing unit (column 8, lines 1-33).

Regarding claim 4, Osada discloses the image processing device of claim 1, wherein the external device is a LAN-connected personal computer (column 5, lines 24-31).

Regarding claim 10, Osada discloses the image processing device of claim 8 further including a second reception unit that receives delivery information about the third device from the external device, and wherein the forwarding unit forwards the data to the third device according to the delivery information (column 8, lines 2-33).

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Regarding claims 11 and 16 arguments analogous to those presented for claim 1, are applicable.

Regarding claims 8, 12 and 17 arguments analogous to those presented for claim 2, are applicable.

Regarding claim 19, arguments analogous to those presented for claim 4, are applicable.

3. Claims 5, 9 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osada (US patent 6,211,966) in view of Sampath (US patent 6,665,425) and further in view of Ozeki et al. (US patent 5,872,641).

Regarding claim 5, Osada does not disclose the image processing device of claim 2, wherein the external source is a remote facsimile machine, and the data received by the reception unit is facsimile data. Osada discloses in column 5, lines 14-23 that peripheral device can be a facsimile device. It is well know that facsimile device is a multifunction device which communicates with other facsimile devices. Ozeki discloses in Fig. 1 Facsimile 3, 4 and 6 for transmitting facsimile data. Osada, Sampth and Ozeki are analogous art because they are from the same field of endeavor that is image processing and communication devices. Therefore, it would have been obvious to a person skilled in the art, at the time of invention to use the facsimile devices of Ozeki to perform the error detection and reporting to another facsimile

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device. The motivation for doing so would have been to use the publicly switched telephone network for sending and receiving the diagnostic data.

Regarding claims 9 and 20, arguments analogous to those presented for claim 5, are applicable.

Allowable Subject Matter

4. Claims 3, 6, 13-15 and 18 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record and the prior art specifically, Osada does not disclose disabling unit prohibit use of one of the plurality of communication lines when the detection unit detect an error in said one of the plurality of communication lines.

Other Prior Art Cited

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Satou (US patent 5,886,793) discloses checking status of a facsimile machine for printing.

Saito (US patent 6,351,316) discloses Internet facsimile apparatus.

Sakai et . (US patent 5,760,927) discloses detection of error when printing.


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Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 703-306-3473. The examiner can normally be reached on Mon.-Fri. 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Alan Rahimi
June 23, 2004


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ADVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600